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Attorneys for Plaintiffs DAREN HEATHERLY  
 and DISABILITY RIGHTS ENFORCEMENT,  
 EDUCATION, SERVICES: HELPING YOU  
 HELP OTHERS

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

DAREN HEATHERLY, an individual; and  
 DISABILITY RIGHTS, ENFORCEMENT,  
 EDUCATION, SERVICES: HELPING YOU  
 HELP OTHERS, a California public benefit  
 corporation,

Plaintiffs,

v.

TAQUERIA SEBASTOPOL; TALMADGE  
 WOOD, trustee of the Talmadge Wood  
 Trust; EVANGELINA CORONEL and  
 SAMUEL CORONEL ROBLES, a married  
 partnership dba TAQUERIA  
 SEBASTOPOL,

Defendants.

CASE NO. C 07-2656 JL

**EX PARTE REQUEST AND [PROPOSED]  
 ORDER FOR CONTINUANCE OF THE  
 CASE MANAGEMENT CONFERENCE**

Plaintiffs DAREN HEATHERLY and DISABILITY RIGHTS ENFORCEMENT,  
 EDUCATION SERVICES hereby submit this Ex Parte Request to Continue the Case  
 Management Conference currently scheduled for June 11, 2008, and for the following reasons:

1. Since the filing of the complaint, plaintiffs have obtained a default against one defendant, Evangelina Coronel in this matter.
2. Plaintiffs have also discovered that the named trustee of defendant Talmadge Wood Trust is deceased.
3. Plaintiffs have not received any communication from any defendants in this matter. No responsive pleading has been filed.

1 4. It is Plaintiffs intention to pursue a default judgment against Evangelina Coronel  
2 if no timely responsive pleading is filed.

3 5. In light of these facts and defendant's failure to participate in the litigation of this  
4 matter thus far, Plaintiffs wish to preserve the courts resources by avoiding an  
5 unproductive Case Management Conference.

6 For the aforementioned reasons, Plaintiffs respectfully request that the Case Management  
7 Conference currently on calender for June 11, 2008, be vacated and continued for (90) days.  
8

9 DATED: June 9, 2008

THOMAS E. FRANKOVICH  
A PROFESSIONAL LAW CORPORATION

11 By: \_\_\_\_\_/s/\_\_\_\_\_  
12 Thomas E. Frankovich  
13 Attorneys for Plaintiffs DAREN HEATHERLY  
14 and DISABILITY RIGHTS ENFORCEMENT,  
EDUCATION SERVICES:HELPING YOU HELP  
OTHERS

15 **ORDER**

16 The Case Management Conference currently on calender for June 11, 2008, is  
17 VACATED and CONTINUED for 90 days to \_\_\_\_\_, 2008.  
18 IT IS SO ORDERED.

19  
20 Dated: \_\_\_\_\_, 2008

21 \_\_\_\_\_  
22 Hon. James Larson  
23 UNITED STATES MAGISTRATE JUDGE  
24  
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**CERTIFICATE OR PROOF OF SERVICE**

State of California                    )  
  ) ss  
County of San Francisco            )

I, the undersigned, say: I am and was at all times herein mentioned, a resident of the City and County of San Francisco, over the age of eighteen (18) years and not a party to the within action or proceeding; that my business address is 2806 Van Ness Avenue, San Francisco, CA 94109-5460; that on the below date, following normal business practice, I served the foregoing document, described as:

**EX PARTE REQUEST AND [PROPOSED] ORDER FOR CONTINUANCE OF THE CASE MANAGEMENT CONFERENCE**

on the interested parties in this action, conveyed as follows:

☒ by depositing true copies thereof, enclosed in a sealed envelope, with postage thereon fully prepaid:

☒ in first class U.S. Mail

☐ in \_\_\_ priority or \_\_\_ standard overnight mail via Federal Express.

I am readily familiar with this office's practice for collection and processing of correspondence for mailing with the United States Postal Service or Federal Express. In the ordinary course of business, correspondence, including said envelope, will be deposited with the United States Postal Service or Federal Express in San Francisco.

☐ by transmitting via facsimile to the fax number(s) set forth below.


☐ by causing personal delivery by Western Messenger Service.

☐ by personal hand-delivery.

addressed to:

**Evangelina Coronel  
Samuel Coronel Robles  
250 South Main Street  
Sebastopol, CA 95472**

I declare under penalty of perjury under the laws of the State of California that I am employed in the office of a member of the bar of this court at whose direction the service was made, and that the foregoing is true and correct. Executed on June 9, 2008, at San Francisco, California.

  
Arnetrice Cooper  
(Original signed)